

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**ARTHUR L. STEVENSON, #31779.**

**PETITIONER**

**V.**

**CIVIL ACTION NO. 3:14-CV-943-HTW-LRA**

**RON KING and MISSISSIPPI PAROLE BOARD**

**RESPONDENTS**

**ORDER DENYING RELIEF FROM JUDGMENT**

Before this Court is PETITIONER'S MOTION FOR RELIEF FROM JUDGMENT [docket no. 16]. The Petitioner, Arthur L. Stevenson, filed a petition with this Court for writ of habeas corpus [docket no. 1] pursuant to 28 U.S.C.A. § 2254 on February 6, 2015. This Court entered a Final Judgement in this matter on August 13, 2015, dismissing the petition with prejudice. Petitioner filed a Notice of Appeal [docket no. 13], but Petitioner's appeal was dismissed by the Court of Appeals due to lack of timely notice.

The Petitioner now asks this Court for relief from the Final Judgment. The petition was properly dismissed for untimeliness. Plaintiff offers no excuse for the untimeliness and makes no substantive arguments as to why the dismissal was improper. Plaintiff's motion essentially reargues the matters he asserted in his original petition.

Petitioner invokes Rule 60(b) of the Federal Rules of Civil Procedure. That rule provides that a Court may relieve a party from a final judgment for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under 59(b);
- (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or

(6) any other reason justifying relief from the operation of the judgment.

In reviewing the record, the submissions of the parties, and the applicable law, this Court finds that none of the reasons listed in Rule 60(b) above is present in the instant case for providing relief from a judgment. This Court is not persuaded that any reason exists to change its ruling. This Court, therefore, **denies** Petitioner's motion [**docket no. 16**]. The Final Judgment of this Court remains in full force and effect.

SO ORDERED AND ADJUDGED, this the 27<sup>th</sup> day of October, 2016.

s/HENRY T. WINGATE  
UNITED STATES DISTRICT JUDGE